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Jan

**TO BE FILED UNDER SEAL**

The Honorable Sandra L. Townes  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: United States v. David Johnson, et. al.**  
**Criminal Docket No. 08-916 (S-3) (SLT)**

Dear Judge Townes:

I am writing to request that David Johnson's bail conditions be modified by removing Electronic Monitoring and imposing a curfew, which will allow him to leave his home from 8 A.M. until 10:00 P.M. each day.<sup>1</sup>

Mr. Johnson's current bail conditions include electronic monitoring. The electric monitoring was added as a result of Mr. Johnson's two open state court cases. As of this filing, each case has been dismissed.<sup>2</sup>

In light of these changed circumstances, it is respectfully requested that this Court modify Mr. Johnson's current bail conditions by eliminating electronic monitoring and imposing a

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<sup>1</sup> It is respectfully requested that the instant letter be filed under seal given the current posture of Mr. Johnson's case and the nature and circumstances of this request.

<sup>2</sup> It is respectfully asserted that Mr. Johnson did not receive an adjournment in contemplation of dismissal pursuant to New York Criminal Procedure Law §170.55 on either case. Instead, each case was outright dismissed.

JOSEPH DiBENEDETTO, P.C.

curfew which allows him to leave his home each day from 8:00 A.M. to 10:00 P.M.

I have spoken to both A.U.S.A. Steven Tiscione and Pretrial Officer Ryan Lehr and they have no objection to the aforementioned request.

Thank you for your consideration in this matter.

Respectfully submitted,  
  
Joseph DiBenedetto

cc: Steven Tiscione,  
Assistant United States Attorney  
(VIA EMAIL)